

Minutes
Town of Lake Park, Florida
Regular Commission Meeting
December 1, 2004 7:30 p.m.
Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, December 1, 2004 at 7:30 p.m. Present were Mayor Castro, Vice Mayor Balias, Commissioners Carey, Daly and Garretson, Interim Town Manager Paul Carlisle and Town Clerk Stephanie Thomas.

Mayor Paul Castro led the Invocation.
Commissioner Carey led the Pledge of Allegiance.
Town Clerk Stephanie Thomas performed the Roll Call.

ADDITIONS/DELETIONS

Mayor Castro requested to place the Mayor's Comments on the Agenda before Public Comments.

Motion: **A motion was made by Commissioner Garretson to approve the December 1, 2004 Agenda as amended. Vice Mayor Balias made the second.**

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balias	X		
Mayor Castro	X		

Motion passed 5-0.

PRESENTATIONS:

Holiday Safety Presentation

Diane Weibert, Fire Inspector with Palm Beach County Fire Rescue Services provided a brief in presentation on Holiday Safety.

Proclamations for the Hurricane Volunteers

Mayor Castro and the Town Commission Presented Proclamation to the following:

Town of Palm Beach	Citizens on Patrol	Walmart
City of Riviera Beach	PBSO	Allen Hall/Publix
Salvation Army	Dunkin Donuts	PB County Fire and Rescue
American Red Cross	Public Works Department	U.S. Army Corps of Engineers
Veteran of Foreign Wars	American Legion	Channel 5 News
Geanne Doughty	Kelly Rice	Infinity Broadcasting
Senator Bill Nelson	Congressman Mark Foley	Joanne Knapp
Employees of Florida	Seacoast Utility Authority	Jeanine Longtin
Power & Light	Captain John Carroll	Jorge Quintero
Szynkowski Family	Paul Carlisle	
FEMA	Peter Caranza/Steve Dunlap/Brent Rhoda of Sysco Foods	

Mayor Castro and the Town Commission graciously thanked the awardees and reiterated that they wished the Town could offer them more. Mayor Castro also expressed thanks to the residents.

Motion: **A motion was made by Vice Mayor Balius to approve the Proclamations recognizing all of the Hurricane Volunteers. Commissioner Daly made the second.**

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Daly	X		
Commissioner Carey	X		
Commissioner Garretson	X		
Mayor Castro	X		

Motion passed 5-0.

Mayor Paul Castro's Comments

Mayor Castro addressed a concern regarding a public information request that had been submitted to the Office of the Town Clerk. He reiterated that the items that were purchased are for precautionary security measures and was done so to protect a public official. At the time the items were purchased, he felt that a threat was posed to the security of his family. Mayor Castro stated that the information pertaining to the equipment that was purchased was not disclosed in that he did not want to jeopardize the safety of his family.

PUBLIC COMMENTS

The following person(s) addressed the Commission:

None.

CONSENT AGENDA

Regular Commission Meeting Minutes of November 3, 2004.

Regular Commission Meeting Minutes of August 25, 2004.

Motion: **A motion was made by Vice Mayor Balius to approve the Regular Commission Meeting Minutes of November 3, and August 25, 2004. Commissioner Garretson made the second.**

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCES ON FIRST READING

ORDINANCE NO. 26-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, TO EXPRESSLY PROVIDE FOR SPECIAL MAGISTRATE DETERMINATION OF CODE COMPLIANCE CASES; CHAPTER 2, ARTICLE IV, DIVISION 4, AMENDING SECTION 2-78 ENTITLED "DECLARATION OF LEGISLATIVE INTENT;" AMENDING SECTION 2-79 ENTITLED "APPLICABILITY;" AMENDING SECTION 2-80 ENTITLED "DEFINITIONS;" AMENDING SECTION 2-81 ENTITLED "QUALIFICATIONS, TERMS OF OFFICE OF BOARD;" AMENDING SECTION 2-81.01 ENTITLED "SPECIAL MASTERS;" AMENDING SECTION 2-82 ENTITLED "COMPLIANCE PROCEDURE;" AMENDING SECTION 2-83 ENTITLED "CONDUCT OF HEARING;" AMENDING SECTION 2-84 ENTITLED "POWERS OF THE COMPLIANCE BOARD GENERALLY;" AMENDING SECTION 2-85 ENTITLED "FINES, COST OF REPAIR AND LIENS;" AMENDING SECTION 2-86 ENTITLED "DURATION OF LIEN;" AMENDING SECTION 2-87 ENTITLED "APPEALS;" AMENDING SECTION 2-88 ENTITLED "NOTICES;" PROVIDING FOR SEVERABILITY; PROVIDING FOR

THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

After extensive discussion, the Town Commission decided that the ordinance was not necessary. The pleasure of the Town Commission was to direct the Town Clerk and Town Attorney to conduct a workshop for the training of the board members. Interim Town Manager Paul Carlisle informed the Commission that there have been several applications were submitted and at the pleasure of the Commission will be distributed for review.

Vice Mayor Balius recommended holding workshops in the future to better acquaint the applicants with the Town Commission. The Town Commission directed staff to draft an ordinance to establish the criteria for cases to be directed to the Special Magistrate.

Motion: A motion was made by Commissioner Garretson to deny Ordinance 26-2004. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

**ORDINANCES ON SECOND READING/ADOPTION
ORDINANCE NO. 25-2004**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 27, ARTICLE I, TO CREATE SECTION 27-5 ENTITLED "MAINTENANCE STANDARDS FOR PRIVATE SWIMMING POOLS" REQUIRING THE MAINTENANCE OF SWIMMING POOLS ON PRIVATE PROPERTY WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**PUBLIC HEARING OPENED.
NO SPEAKERS.
PUBLIC HEARING CLOSED.**

Motion: **A motion was made by Vice Mayor Balius to approve Ordinance 25-2004. Commissioner Carey made the second.**

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Carey	X		
Commissioner Daly	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTIONS

RESOLUTION NO. 53-11-04

A RESOLUTION OF THE TOWN OF LAKE PARK, FLORIDA, PALM BEACH COUNTY, FLORIDA REQUESTING THE STATE OF FLORIDA TO CONDUCT A FULL INVESTIGATION OF FLORIDA POWER AND LIGHT'S PRACTICES.

Motion: **A motion was made by Commissioner Garretson to deny Ordinance 26-2004. Commissioner Daly made the second.**

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Commissioner Garretson also stated that the Town should request a written plan of maintenance schedule and/or program from Florida Power and Light.

QUASI-JUDICIAL PUBLIC HEARING(S)

Stephanie Thomas, Town Clerk swore in the witnesses.

The following members of the Commission declared exparte communications.

**Mayor Paul Castro-
Vice Mayor Chuck Balias
Commissioner Paul Garretson
Commissioner Jeff Carey
Commissioner Ed Daly**

RESOLUTION 54-12-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING RESOLUTION 11-03-04 AND APPROVING A MODIFIED SITE PLAN FOR A MIXED-USE DEVELOPMENT KNOWN AS ONE PARK PLACE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF PARK AVENUE AND 9TH STREET; AND ESTABLISHING AT EFFECTIVE DATE.

PUBLIC HEARING OPENED.

DIANE MUNROE, HAWTHORNE DRIVE INQUIRED ABOUT RESTAURANT FACILITIES AND PARKING.

JOSEPH GLISSON, 850 GREENBRIAR DRIVE EXPRESSED CONCERN WITH LOT 23.

PUBLIC HEARING CLOSED.

Motion: A motion was made by Vice Mayor Balias to approve Resolution 54-12-04 incorporating all of the following revisions: Commissioner Garretson made the second.

- 1. Mark a loading area per town specs.**
- 2. Install a security entrance system**
- 3. Install a rear fence per the Stipulation**
- 4. Follow lighting code**
- 5. Provide a color sign plan**
- 6. Improve the dumpster gate construction but not aesthetics**
- 7. Certify landscape plan**
- 8. Certify compliance with the landscape plan**
- 9. Certify compliance with the irrigation plan and provide shop details**
- 10. Note setbacks (done)**
- 11. Comply with all Seacoast requirements**
- 12. Pay for water main alleyway improvements required, but not generic alleyway improvements. (They fear having to pay for a wall or other items in the future.)**
- 13. Applicant agrees to provide prior to the issuance of the first certificate of occupancy certification by the landscape architect that the installation complies with the landscape plans onsite and offsite.**

- 14. The easterly seven feet of the parcel (lot 23) (seven ft. easement dedicated to Mr. Joseph Glisson) shall be landscape only with sod and shall not include trees or shrubbery.**

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION:

Consensus on Employee Holiday Luncheon Proposal

Interim Town Manager Paul Carlisle informed the Commission that this item appeared on the Agenda at their request. In response to a question posed by the Commission pertaining to the catering, Mr. Carlisle stated that currently staff has only received quotes from Continental Catering located in the Town of Palm Beach. Mayor Castro and the Town Commission suggested looking into C.R. Chicks and Park Avenue Barbeque. In addition to the luncheon, employees will receive a fifty dollar gift certificate. There was general consensus to accept the holiday luncheon proposal as submitted.

Auditor General's Report

Mayor Castro requested insight on the responses that were submitted to the Auditor General's office. Finance Director Cindy Sementelli indicated that the responses provided were in accordance with the Auditor General's office. She stated that short summarized answers were expected by the Auditor General and to address each item extensively would create a separation of duties concern. There was consensus to approve and submit the Auditor General's report as written.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

Mayor Castro thanked the Town of Palm Beach once again. He stated that the current Mayor will not be running again. Mayor Castro thanked all of the Town of Lake Park employees. He also stated that feels that Town should support the boat parade in 2005. The proceeds will benefit the Toys for Tots program.

Vice-Mayor Balias

Vice Mayor Balius noted the public recognition that Bert Bostrom received in honor of her service to the community from Hershey's. Vice Mayor Balius expressed his disappointment in the appearance of the ball fields. Vice Mayor requested a status report on the Lake Park Harbor Marina and expected project completion date. Vice Mayor Balius inquired about the monthly activity report from the Palm Beach County Sheriff's Office, District 10, Lake Park location. He reminded every one that the tree lighting will take place on December 4, 2004.

Commissioner Carey

No Comments.

Commissioner Daly

Commissioner Daly stated that he would like to get the issues with the construction of the Lake Park Harbor Marina restaurant facility resolved. He reminded the Commission that at the last meeting staff was directed to determine if any of the Marina loan fund can be used to assist in the construction of the restaurant shell/building. Commissioner Daly also inquired about the collection of impact fees.

Commissioner Garretson

Commissioner Garretson stated that he is looking forward to the grand opening of the Lake Park Harbor Marina. He would like to see more progress as it pertains to the construction of the facility.

Interim Town Manager

No Comments.

Town Attorney

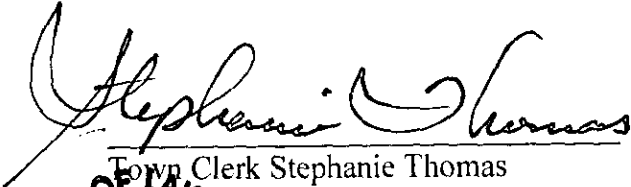
Town Attorney Thomas Baird requested an Attorney-Client Session for December 15, 2004 Regular Commission Meeting. Mr. Baird reported that Dockside Sea Food is in the constraints of the grant that was given to them. Mr. Baird also informed that Mr. Applebaum made a counter offer in the amount of \$3,000.00. The pleasure of the Town Commission was to direct the Town Attorney to submit a counter proposal in the amount of \$7,000.00.

ADJOURNMENT

There being no further business to come before the Commission and after a motion to adjourn by Vice-Mayor Balius and seconded by Commissioner Daly, and by unanimous vote, the meeting adjourned at 9:40 p.m.



Mayor Paul Castro



Town Clerk Stephanie Thomas

TOWN OF LAKE PARK
SEAL

FLORIDA

Approved on this 5th day of January 2005



Town of Lake Park Public Comment Card

Meeting Date: 12/1/04

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: JOSEPH GLISSON

Address: 850 GREENBRIAR DR.

I would like to make comments on the following AGENDA ITEM(S):

MR. AHREN'S SITE PLAN

I would like to make comments on the following NON-AGENDA ITEM(S):

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. *Comments must be limited to no more than three minutes per individual.*



Town of Lake Park Public Comment Card

Meeting Date: 12/1/04

**CARDS MUST BE SUBMITTED BEFORE THE ITEM IS
DISCUSSED!**

*****3 MINUTE TIME LIMITATION ON ALL COMMENTS*****

Name: Nicole Klenove
Address: Hawthorne Dr L. Park

I would like to make comments on the following **AGENDA ITEM(S)**:

1 Park Place - RESTAURANT/parking

I would like to make comments on the following **NON-AGENDA ITEM(S)**:

INSTRUCTIONS: PLEASE FILL OUT THIS CARD, INCLUDING NAME AND ADDRESS, AND GIVE TO THE TOWN CLERK. THE MAYOR WILL CALL YOUR NAME WHEN IT IS TIME FOR YOU TO SPEAK. *Comments must be limited to no more than three minutes per individual.*